N: 7. (1067)

AN ACCOMPT OF SCOTLANDS GRIEVANCES

By reason of

The D. of Lauderdales Miniſtrie,

Humbly tendred

To his ſacred Majeſty.

BODLEIANA

TO THE KING

SIR

The following sheets, containing for the most part, the complaints of your people, against your Commissioners, are so materially, and so frequently to your Majesty, that I could not deny them this information, from any publick endeavour, to render the presumption more excusable, by suffering what is thus offered, by a concealed hand to a publick censure, for a libelling pamphlet: And trouble I am sorry, that the mere majority of the addresses, should force upon so much of a trifling representation, this slight, but adequate answer, which I submit and dedicate perfect to your Majesty, as your throne, and environed with both your Houses, and others wise and faithful, in every point; I am hopefull, that the truth and importance of what is here humbly laid forth, for your own and your kingdoms good, and not the particularities of any subject concerned in it to have any address, should incline you to a more favourable reflection: I must also tell your Majesty, that after the endeavours that have been used, to inform in the more dutifull methods, what appears like cruelty in this (that may be thought an unnecessary) a severer blow exacted by a duty beyond expectation; for although your Majesty, graciously, be ordered the great comfort and hope of your

Plantations, that have served many a turn; and judged sufficient matter for a letter, wherein his Majie recommending first the Security of the kingdom, and next, the severe chastisement of non-conforming disorders, concludes with many good words in behalf of his Grace in the effect, manner: but the 12th. of Nov. the day of the meeting of Parle. being come, after the reading of his Majies. letter, and a short speech made by the Commissioner, he is greatly surprized, to hear a discourse of grievances begun by Duke Hamiltoun, and seconded vehemently from every quarter, so that he had no way to extricate himself; but by a short adjournment: and then, from that day to the 5th. of Dec., keeping only five meetings of Parle., he, on the one hand, endeavours by redressing the grievances of the Salt, Brandy and Tobacco, enabling with his few adherents, and interesting with some of his opposers, to appease matters; and, on the other, he fights and scrapes, with pretences of his Majie prerogative, and abrupt adjournments, to save off more crushing complaints; until perceiving all his grounds to be lost, he is at length constrained to deliver himself by one long adjournment for all, and to wait for a more favourable opportunitie, from the issue of things then in dependence in England: but notwithstanding, that all things, such as Court, and concerning the English Parle., have succeeded to his very wish, and that in this interim, he hath omitted nothing at home deserved, which might dispose affairs to a more propitious aspect; yet when the meeting of our Parle. ensues, on the 3d. of March, he again, by his Majies. expresse command, findes it to adjourn it unto the 24. of Octr. next, to the unexpected disappointe, and dissatisfaction of both Parle. and people.

Having thus dispatched the narrative of our Parle., and its Self-denying, for the better understanding of his conduct, they have occasioned our differences, and incensed them unto the present distemper, it may be remembred, that, after that the Earle of Middleton was laid aside, the whole management of our affairs, at Court, was devolved upon My Lord and his Secretary, for this kingdom, neither can it be accounted an impolicy, by any knowing person, to allow, that he did not his endeavour in exercising

his Majesty long absence from our Country, and his necessitie manyfold, by reason thereof, both with peeres and the condition of matters amongst us, do reasonlie require, and raise this employment to the greatest and highest trust: But My Lo. Lauderdaill, according to his *noble safe nature*, apprehending more the contempt of others those officious meddlings, than the least possibilitie of his own suffering, did further improve the thing, by the particular care and caution that he took, to have himselfe his Maties *sole Secretary* as well as his *sole Secretarie*, and therefore, not onely upon the presence of his Maties prerogative, were our statutes, for the most part, disposed of above, without any previous advice of his Maties Councill in Scotland; but first & chiefe was also taken of all Scotchmen coming to Court; and to encrease an addresse, or accesse to his Matie, whereof Sir Hugh by My Lo. Lauderdaill, was, no lesse, than the hazard of his implacable resentment. I need not here mention his supine, or rather disgraced, neglect of introduceing Scotchmen to offices about Court; it is obvious to every one, that even those vacancies, happening by the death of Scotchmen, were theirs, through his sunk, distrusted from the nation: it was also his studie and work, as he hath often publicklie boasted, to have the *Court Councell* for Scotch businesse, upon pretext that it consisted of Englishmen, distated and suppressed; & as it is evident, that he did draw to himselfe the whole significancie of our Nation in England, meerlie for the augmenting of his own value, so it is no lesse clear that he ordered all things amongst us at his own pleasure. This, from himselfe alone, Privie Councellors are named, Lords of Session and Exchequer placed and removed, gifts and pensions granted, Armies levied, and disbanded, Generall Officers appointed, this Parke called, and all other matters of importance transacted, as he thought good to advise and direct. And the truth is, that for severall years, the thing was quietlie comported with, first as such, as we did not exactly consider that the present state and circumstances of our government, did someway oblige us to this condition; but did also find, that so long as Chancellor Hyde did force My Lo. Lauderdaill to consult more his prudence, than his humour, his administration, though too absolute

disdaine, was yet not altogether unexcusable: But, this cause being once removed, and his ambition left at liberte to swell with his prosperitie, what strange and grievous effects it hath since produced, especiallie after his rising to be his Maties Commissioner, the plain history of things, without the perswasion of any other argument, will best evince; and because the order observed, or intended in Parl^t, will probablie give most satisfaction, it shall also be the rule of our method.

The first, and great grievance then, mentioned in Parl^t, was the monopolie of the Salt, which being by My Lo. Lauderdaill procured, to the Earle of Kincardine his friend, by his Maties gift, allowing the prescription of raising and prohibition of Forraigne salt, was found to the insufferd intolerable prejudice of the yearlie but not onely with twice as great a diminution of his Maties revenue, but to the generall and universall difficulte of the whole countrey; it being most certain, that the nation was thereby reduced to those straits, that in many places the poore people were necessitated, to send several miles to the sea, for salt water, to supplie their indigence; and in other places were constrained, to give 18. or 20. shillings sc. for the same quantitie of salt, which, before the granting of this Gift, they used to buy for 3 li. and 6 li. or 40 sh.; so that in effect the clamours of the people were ready to break out into open and tumultuous [illegible] which grievance all the more charged upon My Lo. Lauderdaill, because of that which his Maties chief Officers, perceiving that the first designe of this Salt-project could not take, and that the consequences of this gift would be very hurtfull, did by their letters give full information to the Court of the prejudices and dangers, likelie to ensue upon it, instead of prevailling, they were rather chid and menaced for being so officious.

The second grievance was, that of the Brandy-wine, which was thus occasioned, in the Parl^t 1661. there was an Act made, prohibiting the importation of forrayn wynes, and of brandy-wines, whereupon, in the year 1672. My Lo. Lauderdaill obtaining for the Elphinston, who had married his Niece, a gift of this prohibition, and of the forfeited, that should be made upon it, but the contrivance was not to render the law effectuall,

but indeed to circumvene it; for the Patentees advantage; who, in place of hindering the import, did give to the Merchants licenses upon composition, at the rate of 15. or 16. ℔ ℔. per tunn; which would have amounted to at least 3000 ℔ ℔. yearlie, and hereby vast quantities were imported, without the payment of either Custom or Excise, and yet vented again in the Country at exceßive prices.

The third grievance was a gift of 2½d. per pound upon all *tobacco* imported; this gift was granted in the year 1673. to Sir John Nicolson for himselfe and some other of My Lo. Lauderdale's friends, who were his partakers; whereby they should have made inconsiderable benefit, but with the dammage of, at least, two or three thousand pounds ℔. yearlie to his Matie's revenue, and the great extortion of the people. These were my Lo. Lauderdale's wise and faithfull improvements of his Matie's prerogative in the matter of Trade, which he was so instrumentall to have declared, and indeed are perversions, so palpable grosse, that comparing evenes with their causes, a man may find great reason to doubt whether My Lo. Lauderdaill did not intend these very abuses, as much in the framing, as in the violating of the lawes: and yet when they came to be complained of in Parle, what opposition, and indignation he shewed, even to the straining of his Maties *sacred authoritie*, in its most tender and delicate parts many hundreds can testifie; neither can it be alleadged that the things were first moved in Parle, not for a redresse from My Lo. Commissioner, but in order to A representation desired to have been made to his Matie. Because that, first they being so enormous, and yet instances onely, and not the whole of our grievances, a representation to the King was not more necessarie for an adequate remedie, then for future prevention. Next, the matter of the 2d had been sleeadie fullie remonstrated to his Matie by his Officers of State, and by My Lo. Laud. procurement, a chip rebuke, in stead of a gracious reliefe, was all the return, as I have allreadie marked. But lastly, it is most probable by all circumstances that if it had not been for the fear, and for the discussing of this representation, My Lo. Lauderdaill, in place of hearkning to redresse, had, according to the inflexible constancie of his great soul

soul, is the royall fight of Pharaoh, and with the brave Politick of Rehoboams young-bullies, upbraided these turbulent murmurers, *you are idle, you are idle, your yoke is heavie, but I will add thereto.*

However necessitie, at this time, prevailing, these *three burdens* are removed, to the peoples great comfort, and his *Majesties* considerable advantage. But here it is that we are to remark, that the thing wherein his Grace did find himselfe mostly concerned, was the proposall made, as I have touched, that his *Matie* should be by his Parit. immediatlie informed of the true state and condition of the kingdom; and indeed his Grace was thereby so hotlie plagu'd, that little more libertie of speech was allowed, or order observed, but immediatlie his *Matie* prerogative is pretended, that nothing ought to be moved in Parl. except by the Lords of the Articles, that to them complaints and overtures should be first made, and, if by them were thrown out, they should proceed no further, and therefore, not onely were all motions offered in plene Parl. checkt and interrupted with this common answer, *goe to Articles*, but the Parl. was certified by his Grace, that if they should all agree to have grievances otherwise treated, and considered, he would interpose and hinder it by his greatest might.

Now, because, that this pretence of the privilege of the *Lords of the Articles*, was justlie looked upon by all considering men, as a verie all subversion of the power and libertie of Parl., alike prejudiciall both to his Matie and the kingdom, it may be observed,

First, that this meeting of the Articles, by its last establishment, consists of eight Bishops, chosen by the Lords, eight Lords, chosen by the Bishops, and eight Commissioners of Shires, and eight Burgesses, chosen by the eight Prelats, and eight Lords, but elected, joinlie, on which were added by the Commissioners the Officers of State.

Secondly, That in the contending for the power of this meeting, it was asserted, that not onely all businesse must be by the Lords of the *Articles*, and by them onely, tabled in Parl., but that, if in the debates upon their reports any new thing should be started, the Parl. ought not to take notice of it, further, than to return the whole matter to the meeting of the *Articles*, to be there entertained or suppressed at their pleasure.

Thirdly,

Thirdly, This is manifested from all our Records, that the rise and continuance of this meeting, was at first by the free appointment of our Parls, who thought fit to annex certain of their number, for framing such overtures as were offered for the publick good, into *Articles* to be voted further according to the ancient forme; and therefore, it being so first devised by the Parl^t, as a simple expedient for order and dispatch, it was still both inconstant in its being, and various in its number and method, according as the Parl^t did see cause.

Fourthly, That as this meeting was in effect the Committee of the Parl^t, for preparing bills; so it is very well known, that there was another, more ordinary, meeting ordained by the Parl^t and called, *Committee of grievances* or (if you will) the *Committee of Grievances*, which having continued in all times, was onely dissolved at the 3^d Session of the Parl^t 1607, to the effect that private affairs which in the first session of that Parl^t, when our ordinarie Committees were not set down, had taken too great a course that way might, after their reformation, return more easily to their proper channels.

Fifthly, That the Act of Parl^t K. I. *appointing four of every Estate, to meet at days before the Parl^t to receive all articles and supplications, and deliver them to the Clerk of Register, to be by him presented, as the petitions of the Estate, to be considered by them, the offer, that things reasonable, may be forwarded made and presented to the Lords of the Articles, by the Parl^t men, & frivolous matters rejected*. Doth no ways countenance this exorbitant power of the Lords of the *Articles*, it being manifest, by the words thereof, first down of preparing matters by a previous meeting, and the subsequent forming, and presenting, by the three Estates, to the *Articles*, that the Parl^t power of first receiving, and then committing, matters to that meeting, was not, at that time, so much as the subject of the question. But the onely thing intended, was the orderlie tabling of things in Parl^t as is yet further apparent, by what is there subjoyned Viz. *that no private or supplication be presented or suffered by the Parliament that is void of all order or information (to wit of the four of every Estate) or that Parl^t following the same*. Which is a provision, for clearer the proper

retorie, to the meeting and work of the Lords of the *Articles*, than is indeed strange, how men could have the confidence, to obtrude this Act, even to his Ma^tie, for proveing their pretended prerogative of *the meeting of the Articles* over the Parl^t, which, I dare affirm, did never before this time, enter in the imagination either of King or Parl^t since they were knowne in this nation.

Sixthly, That in the Parl^t 1633., where *My* Lo. Lauds influence was very eminent and signall, there was a particular Act made, *for setling the constitution and election of Lords of the Articles in all time thereafter* whereby it is expressile provided, *that the Lords of the Articles are to proceed, in the discharge of their trust, in preparing of Laws, Acts, and overtures, and ordering of all things remitted to them by the Parl^t, & in doing everything else, &c.* Which words *remitted to them* do, in their obvious construction, and most received signification among us, very evidentlie suppose, and hold forth, the power, and use, of proposing to be in the body of the Parl^t, and that the Lords of the *Articles* are to act upon their references, as their *Committee*.

Which arguments, being well perpended, and the unanimous suffrage of reason, law and sense, that doe plainlie say, that no Court can or ought to be cypherred by a crown delegatey, being thereto added; I think I may, without difficultie, affirm, that his Grace by attributing to the *Articles* this pre-eminence, and superintendence over the Parl^t, and thereby depriving it of its just libertie, did directlie impugn, and highlie derogate from its authoritie and dignitie; and so became guiltie of a greater grievance, then any of those, which he laboured to avoid. Its true he wanted not cogent enough motives, for what he did; he saw, in the first place, that the meeting of the *Articles*, (whereof he supposed, that his former care, with the obsequiousnesse of the Bishops, would gain him the pluralitie) was his onely refuge, from the terrour that he became to himselfe in the apprehension, that otherwise his actings might come to be *truelie* discovered by a *faithfull* Parl^t. to a *gracious* Prince: And next, the Parl^t had, out of their exceeding tendernesse of dutie to his Ma^tie, testified, in their preceeding sessions, so much complyance with all his *honours*, as well as deference to his *character*, that he had fullie

their decreets, an appeal by way of protestation, to relieve the appellant of the prejudice of a constructive acquiescence, might be lawfullie made from the Lords to the King and Parli. and that this they conceived themselve bound to assert, lest they should contraveen the law, that forbiddeth all men, under the pain of treason, to impugn the supream authoritie of the Parl. But albeit both his Maties Advocate and others of the *Bench* gave their opinion, that an appeal in this sense, is not against law, and none of the rest did or can assert the contrarie; Yet My L. Commissioner still poussheth on, and will have My L. Amonds Advocats to depose upon oath, about its contryvance, whereupon the Advocates do, on the other hand, answer as positivlie, that the appeal being owned by My L. Amond, and offered by them to be justified, there was no more subject of inquisition; that his Maties letter did suppose the thing to be lawfull, and no man was bound, in a matter of that consequence, to give oath against himselfe; that, by an expresse law, men should not be required to give oath *super inquirendis*; and lastly, that by their oath, as Advocates, they were bound not to reveal the secrets of their Clients, whereunto the oath demanded seemed to tend. And to this last point the whole body of the Advocates do Join, and declare their concurrence. But notwithstanding these answers, the Lords, refusing to transmit the Advocates reasons, write up a second letter, acquainting the King with their denyall. In which heats and disputes, unnecessarilie drawn on, by My L. Commissioners straining humours, about the authoritie both of King, Parl. and Lords of *Session*, and after a second appeal made in the same manner, the Lords, according to their usuall dyet, breake up untill the first of June, whether to the increasing, or abating the grievance here mentioned, I leave it to others to Judge, and to time to determin.

The sixth grievance is *generall gifts of his Maties casualities* such as the generall gift of *Wards and Marriages* to the Earle of Kincaerden, contrarie to expresse Acts of Parl., and to his Maties great prejudice, and the vexation of his subjects: For these casualties, being of an undetermined extent, as uncer-

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tain as the death of Vassals, and ordinarilie attended with many circumstances, vvhereof his Matie equitie and goodnesse can onely best arbitrate; the reason both of the lavv, and also of his Maties and his subjects their interest, against all such gifts, is abundantlie obvious. Neither is the aggravation, arising from the persons, the procurer, and the purchaser, lesse considerable; the D. of Laud. and Earle of Kincaerden are, both of them, Commissioners of his Maties Treasurie, and also extraordinarie Lords of the *Session*, so that being doublie obliged, by these two great and honourable trusts, equallie to intend his Maties advantage, and the observation of his lavvs, their delinquencie in this point, cannot but be accounted a high misdemeanor; vvhich to excuse, by saying, that, notvvithstanding the gift, no action hath been thereon founded, but all proceedings carried on in his Maties name, and by his Officers, after the usuall form; vvhen in the mean time, My L. Kincaerden doth treat, and compound, and takes up the profits of all sentences, vvhat is it else save to acknovvledge a transgression of the sense, in the manifest circumvention of the vvords, of the lavv: Is is true that this gift is not the first of this nature that hath been granted: Immediatlie after his Maties return My L. Lauderdaill and others got a gift of all preceeding casualities, and the Earle of Kincaerden, had also a prior gift for three years, whereof this is onely a prorogation, by vertue of all which many thousands of pounds have been very rigorouslie exacted: but seing, there can be hardlie any thing more unreasonable, then to pretend a priviledge in evill from mens forbearance, it is evident that these things, do onely render the grievance exceedinglie more grievous.

These three last grievances, having been moved in Parl., immediatlie before its Dect. adjournment, before I passe to other things that were not moved, I shall briefflie narrate two other passages, that were thought also to influence it. The first shall be of one Mr. Paterson Dean of Edenburgh; thisman, after the first conflict in Parl. about a representation, to be made to his Matie, preaching before the Commissioner, was pleased to tell his auditors, *that sometimes God*

allowed his ambition of their entirell submission; neither
this assurance a groundlesse fantesie, for he knew, that he
put the matter to the proof, upon severall occasions, as
when upon a vacancie falling out in the meeting of the
the Parl did allow him to supplie it by his
ally, when contrarie to the received custom (& yet without
tradition) he caused exclude from being present at the
lings of the Articles, all such members as were not thereto
to this effect, as it is probable, that the body of the Parl
lesse prepared, might the more implicitlie go along with all
conclusions. and 3dly, when in the 3d session of this Parl
an overture made by a member, in the debate about the
taxme act, that the summer sessions might be taken away, he
natelie blustered out, that for three very presumptious
not be done so long as he was Commissioner, with many other
words to this effect: Yet in all these he was tamelie born
But, albeit these things may possiblie excuse his being
traitable to true reasoning, with which he had been so
quainted; yet it remains still a matter of just wonder, that
least, the interest of his Maties authoritie, visiblie exposed by
an intollerable stretch, did not oblige him to a better behavi
in so concerning a conteit: For as much as, it is evidente,
the prudence and loyaltie of the Parl had not restrained, no
else could have secured the prerogative, from the incon
of this hard dilemma, either of being subjected to a necessitie
gulation, or of being the occasion of a seeming breach be
the King and his people. But the Parl, being resolved to
that point, with their utmost circumspection, studied rather
maintain their possession, by an actuall exercise, then to
their right with the smallest appearance of offence, not doubt
but that his Matie would, in due time, determin the controv
to their satisfaction.

And therefore, leaving it, unto them, I shall again return
my main work, and prosecute our grievances, in such
the members of Parl found occasion to move them unto, for
that their endeavours had no better successe, than to provoke
Grace to break up this fourth session, with a two months
journment

(19)

[illegible] I shall [illegible] shall [illegible] than they [illegible] spoke to.

The fourth grievance then is, the corruption of the Mint and Coinage, whereof My L. Treasurer the Duke of Lauderdale hath made a Committee, this complaint was grounded [illegible] upon the universall clamours of the people, who have found, for these severall years, that the intrinsick value of our silver coin is visibly diminished, both in its weight and fineness, to the serious great damage, and [illegible] besides its daily adulteration, that the same [illegible] being [illegible] pieces, called Ordinary, with a [illegible] coine, without observing, either the quantity, or the weight and value prescribed, were currantable by My L. Lauderdale's [illegible] and proclamation; it is also remembred, that the Lords [illegible] him on this occasion of our silver coin, the Dutch dollars, called the Leg-dollars, usually imported by our merchants, and current amongst us at 54d. per piece, were cryed down by the Duke of Lauderdale's proclamation to 52d. as being [illegible] pieces, that thereby they might be brought in for bullion, to the mint-house, for his benefit: But though [illegible] dispended [illegible] Parliament was then there might be [illegible] of the Coine appointed, and an account given of the bullion, which [illegible] being neglected; yet the [illegible] still given in for that effect, was not regarded: It is true that My L. Lauderdale, after the Discovery of the Fault, did move his Majesty, by [illegible] letter, and thereupon bring the bullion to tryall, before the Councell, but it was so partiall, that I professe it is my opinion, [illegible] you should have a confidence strong enough for such [illegible]. The subject of our complaint is the [illegible] of our current money, and all appointed by his Majesty's letter, is, that there should be a tryall made upon the Ryall pieces, and the pieces therein examined; I shall not say, that the oversight thereof hath been altogether in My L. Treasurer, however [illegible] years by past, yet so certain it is, that this [illegible] hath been of late so greatly neglected, that one of My Lo. Commissioners friends, appointed for the examen, could not forbear to say, *that they were mere to see whether the Officers of the Mint were as much fools as they were suspected to be known*, but notwithstanding this the tryall goes on, and moreover the pieces are not brought to

judged

[illegible] have also the five greatest parts of the most important charges of the kingdom, to the visible weakening of the government, and to the detriment of his Majesties service, that are of Land himselfe, is

First, President of his Majes Counsell.
2dly sole Secretarie.
3dly one of the Commissioners of the Treasurie.
4thly Captain of the Castle of Edenburgh.
5thly Captain of the Bas.
6thly Agent as Court for the Borroughs.
7thly one of the four extraordinarie Lords of the Session.
8thly (for who knows how long it may continue) his Majes high Commissioner and all that is imporie.

The L. Hirton is 1st. Treasurer depute.
2dly Generall of the Mint.
3dly one of the Lords of Session.

The E. of Arskein is 1st. Lord privie Seal.
2dly Lord Justice Generall.
3dly Captain of the Kings Guard.
4thly one of the four extraordinarie Lords of the Session.

The E. of Kincairden is one of the Commissioners of the Treasurie.
2dly Vice-Admirall of Scotland.

And 3dly one of the four extraordinarie Lords of Session.

Principall offices are the layes, as it were, of a State, whereby Kingdoms, consolidated by their objects, as by proportionable capacities that most of them do require, have so in the multitude of Counsellors there is fulness, so in multitude of Officers there is strength, and their right distribution, doth not more encourage vertue and deserved merit, then it faules the administration of the kingdom by a just ballance, and thereby betweeth equallie advantageous, for the peoples good and the Princes securitie. But hatred and ambition does pollute such creeping politicks. My Lord hath also intended a double gift of the same office to two of his sons, and such are the gifts to My Lo: Hirton and his son of the Mint-office, to Sr. Charles Erskin and his son of the Lyon Office,

[illegible] of [illegible] money, by which [illegible]
[illegible] moſt, uſed to be conferred at once, his Majeſty, in imitation
of that excellent part of his creation, which, with no compariſon,
rewards virtue beſt, and is indeed the ſtudy bent of the moſt
obliging gratifications.

The eighth grievance is the [illegible] and profuſion of his
Majeſties revenue. The clearing of this head, in its full extent, would
require a more preciſe & circumſtantiate computation, than is proper for
my preſent work; but that I may give it a perſpicuous evidence at
leaſt diſcover, more fully, the frauds & abuſes of My L. Lauds ad-
miniſtrie, I ſhall onely here ſet down, in generall, ſuch what ſums
of money he and his three friends have got in donatives
and ſally. what ſummes they receive yearlie by their places and
penſions, as hath been made appear on ſeverall occaſions by a
particular conſideration. My L. Lauderdam, hath got in dona-
tives within theſe few years no leſſe then 160000 lib. ſt. and may
be reckoned to have yearlie ſince the year 1669. that he was ap-
pointed Commiſſioner, 16000 lib. ſt.

My L. Hatton hath got in donatives not be value of 8 years 80000 lib.
and hath moreover yearlie 12000 lib. ſt. beſide he hath the profits
of the Mint and bullion, which till did render to Kings Majeſty this
time 10000 merks Scots yearlie amounting [illegible]

The E. of Ardrie got ſettle by ſome 15000 lib. ſt. and yet hath
yearlie 4000 lib. ſt.

The E. of Kincardine gettings by reaſon of the nature of his
gifts and places, cannote be ſo eaſilie compoſed; but that they
muſt be very conſiderable, by his generall gift of Wards and
Marriages, which he hath had above theſe three years, and the
ordinarie gathered, beſide the benefit that he hath made, by ſome
of thoſe particular obſervations, which have been [illegible]
for by him; as, as above, the rate of 6 years. So much more
may be reckoned, by all that fell over the whole Kingdom? He
got alſo the gift of a ſhip wracke in Schetland. As for his yearlie
incomes, beſide his penſion as one of the Generall Receivers of the
Treaſurie, he hath alſo all the perquiſites of the Admiralitie; and
yet over and above ſhould have had by the gift of the Silk, 8 thou-
ſand lib. ſt. yearlie. Now whether theſe be not exceſſive gifts,

or such pensions, for such services, and in the mean time the poore Kingdom of Scotland is esse to be judged: I grant I have included in the totall of My L. Lauds yearlie summs, the pension of 5000 l. s., which he procured, out of our Exchequer, to his Dutchesse, when she was onely Countesse of Dysert, and not his married wife; but I suppose that their then circumstances being considered, the errore will be excused with lesse pain, than it would have been for me, to make the distinction. I need not here subjoin how that, beside these above-mentioned summs, almost all pensions and gifts have been bestowed, these yeirs bypast, according to his Graces pleasure; his power in our affairs being in effect omnipotencie, still part of it is not to be doubted, onely it is to be regretted, that in all these excessive givings, so little respect hath been had to those, who have ventured most of his Matie, both by their actings and sufferings: But the thing, that I esteem more worthie to be noticed, is that although since his Maties restitution, his revenue in Scotland hath been much above the double of what it was before, and though his subjects have been exacted with abundance of diligence, and great and vast summs otherwise levied by tynes, taxations, and assessments, without the least burden, either of monies exported for his Maties use, or of forraign warr; yet, through all these misgovernment, hath all been wasted, and consumed, at home, without any visible improvement, for the publick good, or so much as the provision of one freggat, for the defence of our coast, or convoy of our marchants, in these times of warr.

The 9th. grievance and fountain of all the rest is *My L. L. and excessive greatnesse*, farr above what, either the Kingdom, or himselfe can bear; I have already observed, how that before he was Commissioner, he had, *by reason of his being our sole Secretarie* and *Court-Minister*, the absolute rule and disposall of all our concerns; an interposition ungratefull enough, to a people, for affectionatie, dutifull to his *Matie*. I have also marked, with what a severe jealousie, he debarred all Scotchmen, from any accesse or opportunitie, so much as to speake to his Matie, otherwise then he pleased; a practice no lesse disserviceable to his Matie, then disobliging to those fellow-subjects; I might in the

place add, that, as his Maiſtie neceſſarie abſence hath occaſioned to us the unhappineſſe of My L. Lauds. domination, ſo his Graces abſence alſo, for the moſt part, as Court, doth further ſubject us to a more baſe, & diſingenuous dependence, upon his creatures & favourits, nay oftentimes, even upon his ſervants, with whome it is well known, that men did ordinarilie wraſtle, for the obtaining and expeding of gifts and ſignatures, & ſuch like, eſpecialliie by his Graces ſervants, that perſonall proximitie to debtors, were moſt abuſivlie impetrat: But leaving the greateſt part of what I have ſaid, hath been, to ſet forth the miſerable iſſues of Lauderdales obſcuring and eclipſing grandour, I ſhall in this place, onely note, how by his exaltation to be his Maiſties Commiſſioner, this noxious exhalation came as it were to be conſolidat into that maligne meteor which hath reduced us unto the afflicted and diſconſolat eſtate in which we doe at preſent languiſh. I need not repeet, that it was for the attaining to this high, and unaccountable power, that he deviſed the calling of this Parli. upon the pretext of an Union, no leſſe groundleſſe in its project, then vain in its ſucceſſe, nor ſhall I reſume, by what means, and for what emptie ſcalons, the Parli. hath hitherto been kept current: That the office of *Commiſſioner* is a thing, altogether extraordinarie, & onely warranted by the particular occaſion, & ſpeciall effect for which he is ordained, is a point ſo certain, that to affirm the contrarie, would be no leſſe, then a treaſonable attempt, to ſubvert the very foundations of this frie Monarchie; when in former times Commiſſions of this ſort, were granted (which yet we doe not find to have been in uſe until after King James his goeing to England) both the Commiſſions and the Parli. uſed to be terminated in one *ſeſſion*; the firſt that advanzured, upon the innovation of adjourning Parli. for a long time, and continuing his Commiſſion in the intervall, was the E. of Midleton; and yet, notwithſtanding of all the high ſtrainings, that were then in faſhion, and that the Earles worke, could hardlie be ſooner compleeted, this ſame Lauderdaill did, ſo fare refear it, as to make Midletons drawing out of his Commiſſion (though for litle more then two years) an article of his accuſation. But now that My L. Laud. hath himſelfe got into the power, he hath preſumed to protract it, now moore then four yeares and a halfe, with ſo litle appearance of any neceſſitie, that on the contrair, we plainlie ſee, how that he hath, both him-

[illegible] proceedings, and endevoured to frustrate all [illegible] meetings: which, as it is a manifest violenting of the ancient and natural constitution of our government; so the unnecessar[illegible] continuance, and arbitrarie and frequent long adjournments of this Parl.; hath contributed exceedingle to the increase of our burdens, and diffreffes. But the truth is, this hath been the [illegible] in this eminent craft, that it is now become his best [illegible]; and what at first his ambition did prondlie contrive, [illegible] of gain doth now oblige him, no leffe tenaciouslie, to [illegible] to this our remedie and relief in this our defolate and [illegible] condition, remains onely with God, and his Ma[illegible] in the return of their favour.

From which consideration, as much as for the obviating of misinformation, it pleased the D. of Hamilton, and Earle of Tweddil, with some other Gentlemen, after the adjournment of the Parl. in Decr last, to go for Court, with the unexpressible good liking of the whole Country, who from their faithfull re[illegible] to his Matie, did confidentlie expect, an entire de[illegible] liverance. But My L. Land., that he might shew himselfe, as [illegible] leffe crafte to, then he was averse from, such a loyall enterprise, omits no obstruction, that he could lay in the way; and find, by a pittifull Fellow in Berwick, whom he had before corrupted to [illegible] spy and intercept all free correspondence, he causeth [illegible] certain prisoner; and search Sr William Carnegie a member of Parl., in his passage through that Town to London. 2dly. having by the same hand, got some packets intercepted, he very unpar[illegible] ally transmitts them to Court, and without respect to the viola[illegible] tion done to the common intercourse and good understanding of the two nations, or regard to that tenderneffe, which most men doe retain for their Countreys honour, he obtains for his Intelligencer his Maties approbation, and a reward of 50. lb. st. out of our exchequer. 3dly. by the same means, and in the same place, he endeavours to affront D. Hamilton and his company in their passage, by a suspicious questioning of their attendance, and refusing them the convenience of knights lodging, which how farr it was contrarie to the generositie of the Governour then absent, and the civilitie of the Citizens, they face full

influenced by that noble exception, which they gave the Duke in his return. And laſtlie, My L. Laud imposes to him, upon his Majeſties good nature, as to move him to discountenance a Gentleman, sent before by D. Hammiltoun, under a groundleſſe pretence suggested by Lauderdaill, that he had been one of Oliuers Commissioners, contrarie to that prudent and benigne part of the act of Indemnitie, prohibiting the remembrance of all odious actions, whereof his Majeſtie hath been alwayes most tender.

But notwithstanding all theſe rubbs, and many other disencouragements, D. Hammiltoun and E. Tweddaill being arrived at Court, doe there very freelie and faithfullie acquit themſelves, in full and particular account of all things, relating to his Majeſtie & the Countreys interest; I need not here stand, to give the storie by rumell; as it like that the impreſſions were various, but in a word the reſult was the same, with the petition which we have heard, was put to all the good votes and reſolves of the English Parliament having had the good fortune to heir the accidentall reading of a letter, and afterwards to ſee its double, which I am credibly informed, was delivered unto his Majeſtie, much about the time that our Lords were there. I have thought good, here, to have inſerted, for publick ſatisfaction, its juſt transcript. The addreſſe of the letter was, *To the King*, and its date and tenour as follows.

Edinburgh, Jan. 17. 1674.

Sir, In the obſcurity of the perſon, and the vaſtneſſe of the affection, I loſt the meanes, & order of the addreſſe; I presume, Sir, in the preſence of God, I have loſt the perſonall, or ſacrificed all other paſſions, and nothing left, that the intereſt and ſtanding of your Crowne, and the Countries peace, could have conſpired to it.

I need not lay before your Majeſtie, the many abuſes that Scotland hath of late ſuffered. The unneceſſarie and unwarrantable encreaſe of the Salt, with thoſe of the Brandie and Tobacco are cenſured, and redreſſed. Neither are theſe thoſe remains, left unpaſſed, as rare, ignorant and inſufficient Judges, a light and baſe coine, generall gifts of Wards & Marriages, generall gifts of the pains of penall ſtatutes, the accumulation of eminent offices upon ſingle perſons, & theſe alſo

such as are of small merit, gifts of the reversions of survivances of offices, invasions upon properie and libertie by the impetration of private letters, unnecessarie, long and frequent adjournings of Parls, the continuing of a Commissioner in the intervalls of Sessions of Parls, the mismanagement and profusion of your Matie revenues, & lastly, the exercise & encroachment of a State Ministrie to the exclusion of all others from free accesse & application to your Matie, with the many evils that do thence proceed.

SIR, These pressures and so heavie in themselves, & how much more so afflicting & disquieting to your poor people, that I am ashamed to be silent, & not to lay them before your Matie, without observing by what steps they have been promoted, your Matties faithfull counsellors have still prompted you to the remedie, shewn it still expressly, and made offer of it against their authors; you motion you, even in the first place, to deal with Ahasuerus upon the occasion, 'Who is he and where is he that dare presume in his heart to do so? But finding that your Matie [illegible] goodnesse, doth some further or more frequent use of it, then is consistent with a seeking compliance of all differences, than to some more moderate measures, I shall only in all humblenesse presume to say, whatever may be your Matties clemencie, yet consider the nature of these wrongs, & how the first impressions of an offended and [illegible] redressed.

Your Matie is not unacquainted with the untoward & crosse proceedings of the last Session of Parlt: If Sant Commissioner was so much and disobliging, as his interruptings, and adjournings, when supply was craved, for the remedie of such things, which both your Matties service, and your peoples ease, did instantly demand, can it be forgotten, that in the things that remain (so much the more grieved & unsufferable, that we and a few of his friends are mutlie therein [illegible] allied) he will be more complacent? Nay Sr, it is evident as the light, that all the repugnancie, that he hath hitherto showed, with his pretendings, and stretchings of your Maties prerogative in the admission of the Lords of the Articles, beyond what the nature of the dignitie of Parlt will bear, hath plainlie been to prevent the [illegible] of your Parlt to this tryall. The just and necessarie motions for examining his Brothers cause, and the Lords of Session, many of the wealthiest are his friends, did provoke him to an abrupt

[illegible] that [illegible] who [illegible] [illegible] [illegible] and [illegible] [illegible] manner punished, for gaining particular parties, and strengthning of the party, a thing well known to all. It is unknown to your Matie. [illegible] indeed shewn good resentiments for the Peace, in character of the Prince, but in a way so partiall, and disserviceable, that when your Matie, your Peace, & your people the thereby most highly, it hard to be determined. So that, upon the whole matter, considering these things in controversie, our parties wishes your peoples good; and, on the one hand, are professed, with the most loyall resentments of duty, who have always been faithfull to your interest; and yet, on the other part, are still opposed, with obstinate partialities, and unreasonable humours. It is beyond all question, that the insuing Sessions of Parliament by the same Commissioners, will unavoidably be attended with the same, or no greater heats and disorders: From we also forbear to tell your Matie, that hitherto your people are perswaded, that in all their sufferings, your Matie hath been more abused, and imposed upon than they themselves; that exceptions there is, that this perswasion should still continue, and that those measures, errors of government should be no longer countenanced, by fixing them upon the ministers, your Matie, who hath always waived yourselfe so much upon your peoples affections, can easily best judge; seeing therefore that your people have been oppressed, by a misinformation and mistaking in their affection, where in the obstinate acknowledge is desirable all, and that they expect relief from your royall goodnesse, which our affections must to be disappointed, without a very surprizing conviction, and satisfie, seeing nothing is desired, or intended in order to the D. of Lauderdail, to which he himselfe ought not, both in duty, and prudence must readilie to agree; let this in all humble manner submit your Matie humours, to consider the following propositions, which are not more safe in themselves, than they will prove most effectuall, to cure, or dispare all evill appearances, and restore to this your antient Kingdom, that serene peace, which will make our affections and duties again to flourish, in most significant acknowledgements.

First That a new Commissioner be named, and appointed to hold the next Session, and continue the Parliament.

E 2 That

6 That the D. of Lenox be restored to his Seat of the Lords of the Secret Council, and one of the Commissioners of the Treasurie, and have your Matie indemnitie ratified to Him for all things past.

7 That there be two Secretaries named, and appointed to attend the Court, put virtus, for your Matie's better service in all things concerning the same.

8 That the other ancient offices, be declared to have their ancient fees upon deserving persons.

9 That the Commissioners of your Matie's Treasurie, which such as you shall be pleased to add to them, be appointed to consider the revenue, and its charge, which the best means for its augmentation, and improvement and to report.

10 That men, becoming to the habit, and abilities such qualified as pertained to the vacancies that are, or may be, in the Colledge through the removall of such, as the Parke, an tryall, shall find to be disagreeable.

11 That moneths mynd gifts be given to your Matie Commissioners for the due redresse of all other grievances, and also for quieting and removing differences, as more at large is set forth.

12 That there be paid in Parke, an hill of oblivion and indemnitie, for the establishing of the minds of all your good subjects.

Sir, These things, which may be obtained, as from them, as said, infallibly prove the high advancement of your Honour, and the felicitie of this Kingdome; to which I hope that no thing shall be found in any one single person, shall receive preiudice. Now I am, most humbly, that your Matie could be but five min. day we assure ourselves amongst us, of the present posture of things, and disposition of people, you could see, without wonder, think, how these many yeares of injustice should have escaped us; or such like wonders as are daily proposed: I might also have offered your Matie more serious thoughts, as perhaps proceeded 2 Sam. 19. 7. 8. and recommended by the example of David, time of our circumstances; to the profite and, but these I am sure from thinking, that the D. of Lenox, is to your Matie as Absolom to David, or that the discontents with us are so dangerous, or threatening, as is there intimated; and seing I doe as little know, how to express my self modestly and truely unlesse, from his duetifull and loyall affection, I trust that God shall by me make you sweet in Heaven, to give your Matie to arise and speak comfortable to your servants.

The

And [illegible] the King and [illegible] hast
[illegible] of all thy servants, which this day, have
[illegible] life, and the lives of thy sons, and of thy daughters,
[illegible] wives, and the lives of thy concubines, in that
[illegible] thy estates, and thy dignities, for thou hast
[illegible] this day, that thy regiment, neither Princes, nor
[illegible] for this day I perceive, that if Absolom had lived,
[illegible] we had died, this day, then it had pleased the well; now
[illegible] arise, go forth and speak comfortably unto thy ser-
[illegible] for I swear unto thee by the Lord, if thou go not forth, there
[illegible] will not tarry one with thee this night, and that will be worse unto
[illegible] that evil that befell thee from thy youth until now.

But albeit, that all matters of this nature, was pressed by these Noble men, and many other things pretended that might have [illegible] and [illegible] My L. Laud, [illegible] and [illegible] My L. Laud, [illegible] and [illegible] Hamilton [illegible] and [illegible] and [illegible] My L. Laud. Commission, My L. Hamilton [illegible] and [illegible] in respect both of the [illegible] and the infirmitie of his health, to [illegible] day of March, which was the very same day to end of his [illegible] and [illegible] by the people, and all the members of it (who had now [illegible] about four months) and were brought conversed them as [illegible] before) all, the more with the disappointment of a [illegible] and the Lord Ormond, and accordingly the Parl[illegible]

After these our more formed and generall grievances, I might here subjoin, some smaller notices, relateing to My L. Laud's

way and behaviour, put the question to the Assembly, whether they were resolved to submit to the Acts of Parliament, or not? which was readily answered by this expression on his behalf against the Earl of Middleton's service, Sir, if you had but stood to the principles you professed when you were a Scotch Parliament man, you had never been where you are now. 2dly. his telling of Mr. Andrew Cant, that the Parliament of England, where he was commanded once to attend, was but a Mock Parliament, to prison; because that Parliament, he said, had ordered that for the order of the English Parliament, Acts might be made in Scotland, where none were needed, &c. for which he was called in question before the Council, asked pardon, for having so his words misconstrued, &c. 3dly. his Sermon upon Haggai 1. 4. Is it time for you, O ye, to dwell in your ceiled houses, and this house lie waste? and making a digression to Hamantheus, and making him a type of the Archbishop of Canterbury, and comparing him to Ahasuerus, &c. 4thly. his ambitious and aspiring humour, to be reckoned one of the greatest favourites and confidents of the King, and consideration in the Kingdom, whom he did not so much allow to be named to be of the number of the Commissioners chosen for the Treaties of the Union between the two Kingdoms, as by his flattering insinuations in his letters to the Earl of Rothes, Tweddale, and Argyle, Sir Robert Murray, Duke Ormond, E. Shaftsbery and others, whom exceeding the rest he hath, both caressed with open flattery, and rejected with great prejudice. 5thly, his unparalleled neglect of the ministry, to gratifie indigent and contemptible persons of his dependance, by procuring for them gifts of the gifts of gratuitie, as to Sir John Moncrieffe a gift of the gifts of non-conforming in the Shires of Perth and Fyfe. To [illegible] Rose of Ardoch and Major Borthwick, a gift upon the Maltmen and Brewers; and to the same Major Borthwick another gratuitie gift, called [illegible] utilie of pack and bolt. 6thly. his prophane complements to the Archbishop of St. Andrews, coming one day to visit him, Come in, My Lord, sit down here at my right hand, till I make all your enemies your footstool. 7thly. his dull and stolidious listings, to his old practices, and acquaintances, as when one day at his table, he said, he could pray O [illegible] as any Nonconformist, and so begunn a long complaint to God of corrupt breeding and other sins of their Brethren, and when at other times he hath insulted over them in their appearances

against him, before the [illegible] Militia, not as a simple Countrey-[illegible]
Militia, not as a simple Countrey-[illegible]

the Kingdom of Scotland will share in the hazard these bring, and [illegible] ...ment, as the more against the Dutch, or any other confederate his Majesty [illegible] ...ment, or himself may be concerned. So in order thereunto, they have so fetled the Militia, as the power of the Militia shall be in readiness, whenever his Majesty shall be pleased to require it, to make use of them. Which things in Scotland and England being laid together, & the strange willingness of the Supremacy thus makes so large a surrender of matters of Religion, with their Acts of Supremacy & Militia, declaring a readiness for any expedition, &c. being well weighed, I think, it may very reasonably be affirmed, that there was any extraordinary motion in that matter in question, my L. Lauderdale hand, to probabilitie, wholly accepted by the Parliament concurrence, in conforming to their Acts, the passing for his Excuse. For as much as it is certain, that their zeal and diligence in that way, a further expression of their loyalty which they have already judged, that no words capable of a fair interpretation, could ever be too forthcoming. I need not endeavour their accommodation with secret contrivances for their purposes; but that can imagine, that Scotland would have contented, on their hearty affectionate, out of any other motive, then their abhorrence & hostilitie affection to his Majesty for he is any thing guilty of favouring Popery, is wilfully mistaken. Both of our [illegible] And therefor it may well be concluded, that as the ill success of the Act and Humble Traitor &c. and Acts of Militia, succeeding on it, toward England, with their ill contrived alternative, or for any other service wherein his Majesty [illegible] authority, or prerogative may be concerned, were as first the dictates of Lauderdale's vanity, and have often since been the boastings of his ambition; so they do plainlie enough evince, his black accession to those other mysteries, whereof he hath elsewhere been accused.

The 2d. remarque shall be, concerning My L. Lauds. administration in Church affairs. It is not necessarie to remember how that E. Middleton in his Parl. thought fit, to correct the rigour of Presbyterie, by the lenities of Prelacie, & what a severe vengeance of conformitie, the Bishops did thereafter execute, upon the whole Country, for their former complyance with, and re-

pained affection to their brethren of that ministry. O when will Princes know, wherein the true power, and preservation of the Gospell doth lye, & deliver themselves & their people, from the pedantry, & hypocrisie of all Church-pretenders! However the extreme distresse, whereunto these Episcopall perfecutions had brought the Country, did in the year 1669 (as I have before related) move the compassion of some more moderate persons, to obtain for it the ease of that small indulgence, that was then granted, for the better establishment whereof, it was supposed (as I have said) that the conformable Theater in Paris, erected. But that the Country might the better relish this favour, and know how to discern his Majesty from an Commonwealth Governour, a peculiar Act was made, that in the year 1670. conformity should be again compassed, and pressed by new Acts of Parl. and those in my opinion, of a greater severity, then the highest points of Christianity could have allowed: For by the first Act of that Session (as also by the 13. Act of the 3. Session) it is declared, that no Non-conformist whatsoever, not licensed by the Councell, or otherwise put authorized by the Bishop, shall (so much as) pray in Gods worship, except in their own houses; and to shall of their own family, and such as shall be present exceeding the number of four, and that all secresie to the contrary, shall be guilty of treason, punishable and punished with the pains thereof. Besides, the Article of the Apostick Creed I believe the communion of Saints notwithstanding, by the same Act, it is declared, that whosoever without lawfull or authorized a forefaid, shall preach or pray at any field-meeting, or in any house, where there be more persons, then the house contains, or as some of them be without doors, (so may be onely two or three, and posted there by malice) or who shall contribute to such meetings, shall be punished with death, and confiscation of their goods; and the Setters of such persons, are not only authorized for any slaughter that shall be committed, in the apprehending, but also assured of 500. merks Scots of reward, for each person by them seized and secured: so mortall a thing is this field-conventicling, the Messe and all its idolatrie hath nothing in it so deadly. 3dly, by the 6th. Act of that Session, there are considerable pecuniall paines ordained against disorderly baptisme, such as those are

Matie clemencie, wherewto Lauderdaill had been by others inclined, and it having pleased his Matie, in the practise of specific his Protestant subjects in England, with his royall goodnesse, he thinks meet at the same time to extend it, of new, to Scotland; and therefore gives to his Commissioner there ample power, all necessarie instructions, for compleeting this worke, that his Grace being now quite freed, from all those good intentions wherewith sometime he had been allied, by a very inconvenient, & rude application, Ladie marres his Maties kindenesse, and frustrats his best ends; for as much, as in place of those gracious results, which, no doubt, was expected by his Matie, from all his pretended good subjects, of what ever qualitie or degree in Scotland, this new indulgence, even in universall conformeitie, of the whole non-conform Ministers, unto some Parishes in severall of the Countrey, bearing the reik of day, or neir, as the ground about Edinburgh, and that, with such a forcefull necessitie, besides some other forceing conditions, that were also imposed, that to lessen all small sacrifice, having not above a thousand communicants, and some of a 1000. merks Scots, of stipend, he cannot to be appointed, three or four ministers, contrair to all iust proportions, and onely with the ridiculous equalitie of *a little corn to little feathers*. Neither is he content, to have this restrained allenarly to those that were licensed, but even those that had none of his Maties favours, must get the meall gone out of his Graces sacke, and therefore, as is further ordered, these all other non-conforme ministers not licensed, should either conform, in the place of their dwelling, or else, before a certain day, repaire to and reside in the Parishes whereunto ministers licensed, are appointed; I shall not say, that his Grace did this maliciously, and to disgrace his Matie, because that the Councell, upon a letter which he had before sent them down, from his Matie, to know, if Papists might also have some tollerance, returned their advice that, there should it neither necessarie, nor expedient; but it is obvious enough, that if Papists had been made partakers of this intended favour, as much of necessitie have been granted out, and moulded, by some more subtile regulation. And yet, at this same season, there had been accumulated upon the Phanaticks, a bountie to which nothing could

could be added, it is declared in the conclusion of the Cessation Act, that they were not to looke for any further enlargement, but that the laws hee conformible were to be duelie executed against all contravenors; but the truth is, those words were inserted for this cessation, his Grace knew very well, that not only the generalitie of that scrupling partie over Scotland, were little obliged, by their being, in a manner, excepted from this his Majesties Grace, which often makes men, that before were accommond, to become more curious; but that some of them, who were now deprived of the libertie, which at first was allowed to them, went thereby much irritat: And therefore he, in time, provides this colour for the executions, that might again ensue. And truelie, if I were to form conjectures of secret designes, on the sudden, that visible appear to have been taken, in this former conveyance, I verily think, that all the foresaid commissionats, wherewith it was magnified, were duelie, make this forbeer to say, that its reformation and conversion seem rather to have been intended for the marring, then any thing else, for the promoveing of its succesle. It is sufficientlie manifest to all ingenuous men, that, the non-conformists, for all their scrupleing are not onely successle, and securelie loyall, but in effect fullie as gentle and tractable, as can reasonallie be expected, from those principles, wherewith the Independent it selfe imports a difference. Besides if dispersion & the removing of the grounds of complaints be (as no doubt they are) the most effectuall means, to quiet such opinionative distempers, what could have been more promiseing, then to have dispoled upon the small handfull of outed ministers, that remain, either by returning them all freelie to their own churches, or leaving them to setle, as fair invitations should have determined. But alas, who sies not the strange consequences, that would have ensued; if all wild beasts were once tamed, hunters and their sport would be utterlie spoiled, and a quiet and established Kingdom secured from almost the possibilitie, of forraign invasion, would need no more any standing forces, but setle a standing Commissioner; and how should this poor countrey, subject to many vexations, have endured so great a setle. But that his Graces well dispoled setle, in affairs of this kinde, may be the bet-

standerstood, there is one instance of it, that I can not here omit, and it is this: A litle before this Indulgence was granted, there were two countrey gentlemen, Hay of Ballhoussie and Drummond of Meggins, brought in question, for this *Pagitian* heresie of conventicling; the qualitie of their guilt was, that the first, had, indeed, had privat meetings in his own house, but the second was onely charged, with his wife and daughters transgression: However, his Grace haveing thought good, immediatly upon the delation, to make over their fynes, unto his favourite the Earl of Athole, and the gentlemen forseing, that to make the application suitable, there was no lesse, then the utmost rigour to be expected, they judged it best, to abandon their own defence, for a friendlie transaction, & therefore, calling themselves on the Earles discretion, they aggrie with him in writeing, the one to pay him 800. lb. ster., and the other 900. lb. ster.; but when they appear before the Councell, My L. Laud, not content with what Athole had done, very arbitrarie and exorbitantlie, procures the sentence to be augmented, against the first, to a 1000. lb. ster. against the other to 500. lb. whether more generouslie, to ruine his friend, who had got before, all that he had demanded, or more justlie towards the gentlemen, who relying upon the agreement, had prepared no other defence, let the world judge. I might also add another example of his Graces moderation, in citing the Countesse of Wigtoun, a widow Lady, and others clothed with all the favourable circumstances, that could be desired, to appeare in person, before the Councell, to answer to privat meetings in her own house, and to be fyned in the summe of 5000. merks Scots, thereby shewing an impartialitie not to be byassed with any courtesie. But to return to our purpose, I need not mention particulars, for confirming of what I have said of the errours committed, in shapeing out this *Indulgence*: Its misadventure, as to the composeing of matters, whereunto it pretended, hath afforded, both to his Ma^ties Councell, and to the ministers licensed, too much unpleasent exercise, in citations, examinations, and reiterat orders, to leave it in the least doubtfull. The thing, more worth our noticeing, is to consider, how fortunatlie the event did fall out, to justifie my suspicion. I resolve,

to the beginning, what an opportune pretext, when all should failed, their non-conforming disorders did furnish to his Grace for his last comeing amongst us: But because the latter, that he therupon purchased from his Matie to his Parl., doth not more hold forth, its true Author, in its unsuitablenesse to his Maties excellent goodnesse, then exhibits to the world the truest character of My L. Laud's *goodnesse and sincerity* in all these affairs, in lines of his own drawing; I shall here set down at length, some passages of it: But one of the principall reasons of the keeping this session of Parl. is to the end *effectuall courses*, may be laid down, for curbing and punishing the *insolent* field-conventicles, and other *seditious* practises, which have cost your last session too much abounded: You are our witnesses, what indulgences we have given, and with what leniitie, we have used such dissenters, as would be peaceable; and how much our favours have been abused. You have made many good laws, but still they have failed in the *execution* against the *contemners* of the laws: we must now once for all lay down such *solid and effectuall courses*, as the whole Kingdom may see, that we and you are both in earnest, and that if *fair meanes* will not, *force must* compell the refractorie to be peaceable, and obey the law. We have had frequent experience of your affection to our service upon several occasions, and therefore we are confident, you will *answerably* do your duties *in that* which doth *so much* concern our authoritie and your own peace and quietnesse: We leave the ways and means to your own wisdom, and we expect, you will lay down such *solid grounds* & take such *effectuall ways*, as may put an end to these disorders & evidence to the world that our ancient Kingdom of Scotland, is as quiet and united to us. We have instructed our Commissioner fully in this & c. he can well informe you of our constant affection to, & care of all the concerns of that our Kingdom, *which consideration at this time*, hath made us *dispense with him here whose service was so effectuall to us* &c. and therefore you shall give him entire trust, *as we have hitherto done in all things*.

The text is plain and needs no comment; I shall not say, with some Phanaticks, that if the Lord had not unexpectedlie brat down to the earth, this persecutour with his letters, breathing out

such

such threatnings, and slaughter, our land might have again been turned, into a field of blood and confusion: Nor will I positively affirm, that these minatorie strains, were purposelie intended, for to overawe the nation, to a more compliant submission, to the introduction of a *Service-book*, which, it is well known, was both designed and prepared, and should have been the great businesse, of his Grace his last comeing downe: But certainlie, whosoever compares, the expressions of this letter, with all their circumstances, viz. his Maties benign clemencie to all innocent dissenters, the Kingdomes unquestionable quiet, from all their disturbances, its great and almost sole dispemper from My L. Lauds owne oppressions, the visible necessitie that forced him, at that time, to take sanctuarie amongst us, and lastly the forebearance and insinuation, that he hath since used, towards the non-conformists, to ease himselfe of a part, at least, of that universall odium which he findes to be against him; must inevitablie breake forth in admiration, at this unmeasured boldnesse, of abuseing his Maties name and authoritie, to so many extravagancies. I doe not have been his wryes in the Church, to like, in every step, to his doings in the State, that they neither could have any better success, nor can receive a milder censure. But now his Grace, having rode out this storm of grievances, delivered himselfe from Pym, and defeat all his enemies, in order to his return to Court, resolved (as is probable) to give the Kingdom a proofe, both of his owne free and unconstrained benevolence, and also of his great power and interest with his Matie, and therefore, there is a letter produced, from the King to his Councell, bearing, *that his Majesties for to, makes him ready to embrace all occasions, wherby he may witnesse his zeal, to doe all things which may be for our advantage and ease; and that being informed, by his Commissioner, of some things which have been, & still are, troublesom, & burdensom to us, he had thought fit, in his royall bounty, and by his royall authoritie, to declare, by royall pleasure for the discharging of all impositions, that from his restoration, all rests of the taxation granted by the Parl. 1661. all arrears of the assessis of either, preceeding the year 1660. and all taxes imposed by his Majes first Parl. (excepting allwayes those, all summes of money allreadie paid, or for which bind is given*

present

preceding the date of the letter: And lastlie his Majestie doth grant a generall pardon and discharge, of all arbitrarie and pecuniall paines, incurred before the date of the letter, extending even to those against Conventicles, withdrawing from ordinances, disorderlie baptisme and burieings, adapting nevertheless all capitall crimes, and fourmes of punishment, imprisonment, or confinement. Upon this letter, there being a proclamation voted and formed by the Counsell, it was the next day made, with the solemnities of the Magistrats in their robes, the citizens in arms, ringing of bells, shooting of guns, publick fasting, bonfires, & all other ceremonies, that were used in the most extraordinarie occasions of joy. I shall not insist on the peoples wonder, at the vain pomp, of abuse circumstances, who would finde nothing suitable in the subject; nor on the criticisings of the more maligne sort, who regretting, that his Majesties affection & zeal for our good, should rather have been directed, by My Lord Tarbat, scant and partiall suggestions then by the full and faithfull advice of his Privie, observed first, that the exception to the discharge, of the acts of supplications, citations and fynes, was infinitlie broader, then the release it self, the country having now (for 13. years) been so vexed and haraled, for these things, that there is nothing left to be discharged, save of few desperat, and irrecuperable debtors: 2dlie, that a generall pardon and discharge of civill and pecuniall paines, is an ordinarie grace, customarie to be granted in such Parliaments, as they think fit to signalize: 3dly, that the extension of this pardon, even to Conventicles &c. can have no ground, unlesse we suppose, conventicling & house-conventicling, to be worse then Sabbath-breaking, profane swearing, drinking, whoring, usurie, extortion, and the like, which (besides the exemption of many persons, imprisonments and fynes, wherein a few Phanatick ministers are mulcted, consequently appears to be an unreasonable reserve of a peevish vigour: and 4thly, that the style of the proclamation viz. *We with advice foresaid, doe hereby statute and ordain, and according lie discharge, to our subjects, all rests and assessments &c.* is not onely forced but more Parliamentarie then proper for such edicts.

But the thing, we rather remarque is, that just and important exception, moved against this letter and proclamation, by D. Hamiltoun

mitoun and others in Councell, viz. that D. Hammiltoun, having an undoubted right to the erection 1633., by a charter betwixt his late Matie. and James then Duke of Hammiltoun, and also by a commission from his now Matie., for securitie and repayment to him of a considerable summe of money, the same could not be taken away in this summarie way, without lawfull hearing; upon which exception D. Hammiltoun (as he declared) did not insist, for the value of the thing, but for obviating so dangerous a preparative, to every mans right and propertie; this discharge was overtur'd both by himselfe, and others, during the sitting of the Parl., and if it had been professed, that way, all mens interests, might have been considered, and also the country more effectuallie secured: But after rejecting of that method, to have made choise of this, was an introducing of presidents, of an evill aspect: And yet albeit it was resolved by the best Lawyers, in a writeing under their hands, that Duke Hammiltouns right was unquestionable, that the King in such cases [illegible], and that by the fundamentall law of the Land [illegible] could be taken away summarlie by letter and proclamation (which also was also confirmed by the suffrage of the Judges there present) nevertheless it was with extreme heat, and pain that My L. could be induced to consent to the rescinding of D. Hammiltouns right, as we finde it to be done, in the Proclamation [illegible] mentioned, the letter [illegible] from his [illegible] to Mr Rodgerhead Town-Clerk of Edenburgh, and the Instance which [illegible] he gave, because of the invasion of propertie and liberties thereby threatned, but now, that My L. [illegible] [illegible] this opposite, and evidentlie subjected [illegible] [illegible] [illegible]

of the *diſſents* entered by a conſiderable part of the Councell, againſt ſuch a groundleſſe and impoſeing practiſe; as his Grace vvould delude the common people, *by bells and bonfires*, and other *empty and ridiculous shews*, doth he alſo think, that men of underſtanding, vvill ſuffer their eyes to be putout; is it not enough, that he hathſyrannized over us, vvith ſo much pride and oppreſſion, but that he muſt moreover offer violence to our ſenſes, and not only obſtruct our prayers and teares, to his Matie for his compaſſion and help, but even endeavour to elicit flattering approbations, and applauſes for palliating and ſupporting theſe groſſe malverſations; for vvhich moreover theſe ſtile, it is beyond peradventure, that ſo ſoone as he ſhall be arrived at Court, he vvill think fit to ſecure himſelfe, as he hath already done, for his late inferior tranſgreſſions in England, by an Act of oblivion and pardon?

Certainlie the free conſideration of theſe things might ſtirre up, and raiſe every ingenuous ſpirit, to the higheſt meaſure of indignation, did not his Matie's concerns and engagements therein, farr more powerfullie enclime, to a deſireſull regreet; vvho can obſerve, vvithout aſtoniſhing griefe, the ſtrange infelicity ſo overſpread, for his Matie's vexation, and the vvorld's vvonder in all the paſſages, or preſents of the moſt loyall addreſſes, complaints, novv ſunke into the ſaddeſt depths of ſorrovving, and darkneſs, by reaſon of the vvithholding of the rayes of his *Maties* gracious countenance, vvith clouds of jeolouſies, vvhich no man is vvilling to entertain, or yet able to diſſipat: And vvho can think, vvithout a moſt ſenſible affliction, that his *Maties* moſt excellent underſtanding & moſt benign diſpoſition, in all other occaſions, ſhould in theſe matters of the higheſt conſequence, be ſo eaſelie poſſeſt, vvith ſuch a ſtrange averſion, to hearken to, & moſt loyall Parl. and to be advised by his moſt affectionat ſubjects? And laſtly, vvho can ſee, (vvithout a conſtation, and riſeing of paſſions, not to be expreſſed,) the D. of Lau. a perſon, ſo inſignificant for the advance of his Maties ſervice, and of late, become ſo extravagant and unacceptable, even in his privat deportment and ordinarie converſation vvith all men; yet, in theſe publick and great affaires vvherein he hath ſo vvyldlie miſcarried to preponderat, in his

Master effects) to the universall outcry of two nations, the
prejudicat complaints of two Parts, and the visible disturbing
not breaking, of the peace and quiet of two Kingdoms, but
not offer at the arts, charms or inchantments, whereby these
wonderfull things, may be brought to passe; it is but too
manifest, whither we are by the Lord, still sometimes stand in
most undutifull differences, & seeming irreconcilable distances
he hideth his face, since the beginning of the last Dutch war, and
the arising of the jealousies, which did commence with, pre-
pared on the false, to stop a friendship, & to cause a supposition, that
many that were jealousies, and their disaffections,
ceased, and endeavoured that for our better confirmed
condition. But why should we grope in these suspicious conjectures,
wherein much good men, did rather desire to find themselves
deceived, then further cleered: Let us rather wish, that
these doors may be opened, and his heart turned towards
his nations Kingdome, and the throne may be established,
with a sincere, and unfeigned love of all his Subjects,
and faithfulness, that we may be strong, & all his enemies
confounded, and ashamed, that rise up against him, and
the advancing of his particular interest, and ambitious humour,
against the publick good of the nation; and for the bearing down
of us his faithfull subjects, yea he longed for these, & earnestly
desire his restoration and mean time

READER

I Could desire thee would, passe over an omission of the Printers at the
4th sheet, which is the letter C, wherein the pages are misplaced, and
in the reading follow the last word of each page, and the number, what
other escapes, misplacing of letters, & in the dedication [illegible]
there, for and there, and such like, as I know they can not, more the
same as I hope they shall not incurr thy censure.